



U.S. Department of Justice

Ronald C. Machen Jr.
*United States Attorney for the
District of Columbia*

*Judiciary Center
555 Fourth Street, NW
Washington, D.C. 20530*

PRESS RELEASE

FOR IMMEDIATE RELEASE

Monday, March 22, 2010

For Information Contact:

Public Affairs

(202) 514-6933

http://www.usdoj.gov/usao/dc/Press_Releases/index.html

Former Background Investigator for Federal Government Receives Prison Sentence for Making a False Statement

WASHINGTON - Nathaniel Walker, a 55-year-old former Special Agent of the U.S. Office of Personnel Management ("OPM"), who conducted federal background investigations, was sentenced on March 18, 2010, to five months in prison followed by five months of home confinement for making a false statement, U.S. Attorney Ronald C. Machen Jr. announced today. Walker, of Indianapolis, Indiana, was sentenced by U.S. District Judge Colleen Kollar-Kotelly, after pleading guilty in November 2009. The Court also ordered that, following his release from prison, Walker be placed on three years of supervised release, of which the five months of home detention is a part. In addition, the Court ordered Walker to pay a total of \$61,405.32 in restitution to OPM.

According to a factual proffer agreed to by Walker at the plea hearing, Walker was employed as a Special Agent of OPM and assigned to the Federal Investigative Services Division ("FISD"), where his job was to conduct federal background investigations. FISD, formerly known as the Center for Federal Investigative Services, is responsible for conducting background investigations for numerous federal agencies and their contractors, on individuals either employed by or seeking employment with those agencies or contractors. The purpose of the background investigations is to determine an individual's suitability for positions with access to classified information, that impact national security, or that require a security clearance.

In conducting background investigations, FISD investigators conduct interviews of individuals who have information about the person who is the subject of the background investigation. In addition, FISD investigators seek out, obtain, and review documentary evidence, such as employment records, to verify and corroborate information provided by either the subject of the background investigation or by persons interviewed during the investigation. After conducting interviews and obtaining documentary evidence, FISD investigators prepare a Report of Investigation ("ROI"), containing the results of the interviews and document reviews, and electronically submit the ROI to OPM in Washington, D.C. OPM then provides a copy of

the investigative file to the requesting agency, which can use the information to determine an individual's eligibility for employment.

Between September 2005 and September 2006, in more than a dozen ROI's on background investigations, Walker represented that he had interviewed a source or reviewed a record regarding the subject of the background investigation when, in fact, he had not conducted the interview or obtained the records. For example, on September 2, 2005, in a ROI of a background investigation of J.S., Walker represented that he had interviewed P.M. about J.S. (and reported what P.M. had purportedly stated about J.S.), when, in fact, Walker had not interviewed P.M. On the same date, Walker electronically submitted his ROI to OPM on the background investigation of J.S., which contained this false representation.

Walker's false representations were material, as they influenced the government's decisions and activities with respect to the subjects of those background investigations. Walker's false representations have required FISC to reopen and rework numerous background investigations that were assigned to Walker during the time period of his falsifications, at an estimated cost of \$61,405.32 to the United States government.

In announcing the sentence, U.S. Attorney Machen praised the hard work of Special Agents Derek M. Holt and Shantel Robinson, OPM, Office of the Inspector General, and Philip Kroop, Chief, Integrity Assurance Group, FISC. Mr. Machen also acknowledged the efforts of Assistant U.S. Attorneys Ellen Chubin Epstein and Thomas E. Zeno, who investigated and prosecuted this matter.

###